

UNITED STATES DISTRICT COURT  
DISTRICT OF DELAWARE

NATIONAL FIRE & MARINE INSURANCE	)	
COMPANY,	)	
	)	<b>Civil Action No.: 06-97 JJF</b>
Plaintiff,	)	
	)	
-against-	)	
	)	
ROBIN JAMES CONSTRUCTION, INC.,	)	
	)	
Defendant.	)	

**CERTIFICATION OF COUNSEL**

I, Kristi J. Doughty, hereby certify as follows, regarding the attached Order (the “Order”):

1. Summary Judgment was entered in the above case in favor of the Plaintiff, National Fire & Marine Insurance Company by Memorandum Opinion on March 22, 2007.

2. A damages hearing was held by the Court on April 19, 2007 and the accompanying Order reflects the Court’s ruling.

3. The Order has been served on the party indicated on the accompanying Certificate of Service.

WHEREFORE, National Fire & Marine Insurance Company respectfully requests that the Court enter the Order and grant such other and further relief as it deems appropriate.

WHITTINGTON & AULGUR

/s/ Kristi J. Doughty  
Robert T. Aulgur, Jr. (No. 165)  
Kristi J. Doughty (No. 3826)  
313 N. DuPont Hwy., Suite 110  
P.O. Box 617  
Odessa, DE 19730-1617  
(302) 378-1661  
Attorney for Plaintiff

Date: April 23, 2007

UNITED STATES DISTRICT COURT  
DISTRICT OF DELAWARE

NATIONAL FIRE & MARINE INSURANCE	)	
COMPANY,	)	
	)	<b>Civil Action No.: 06-97 JJF</b>
Plaintiff,	)	
	)	
-against-	)	
	)	
ROBIN JAMES CONSTRUCTION, INC.,	)	
	)	
Defendant.	)	

**CERTIFICATE OF SERVICE**

I, Kristi J. Doughty, hereby certify this 23<sup>rd</sup> day of April, A.D. 2007 that a copy of the **Certification of Counsel and Proposed Order** was sent electronically and (via) first class mail to the following:

Eric C. Howard  
Wilson Halbrook & Bayard  
107 West Market Street  
P.O. Box 690  
Georgetown, DE 19947

By: /s/ Kristi J. Doughty  
Kristi J. Doughty (No. 3826)  
313 N. DuPont Hwy., Suite 110  
P.O. Box 617  
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(302) 378-1661  
Attorney for Plaintiff

UNITED STATES DISTRICT COURT  
DISTRICT OF DELAWARE

NATIONAL FIRE & MARINE INSURANCE )  
COMPANY, )

Plaintiff, )

-against- )

ROBIN JAMES CONSTRUCTION, INC., )

Defendant. )

**Civil Action No.: 06-97 JJF**

**JUDGMENT**

Plaintiff, National Fire & Marine Insurance Company ("National Fire"), having appeared at a hearing on damages on April 19, 2007 as Ordered by this Court by Order entered on March 22, 2007, and the Plaintiff having made an offer of proof which the Court has found to be sufficient and the Court having accepted Plaintiff's exhibits 1 – 10 into evidence,

NOW IT IS HEREBY ORDERED, ADJUDGED, AND DECREED:

Plaintiff is awarded judgment on its First Cause of Action in the amount of \$35,651.04 plus interest from February 13, 2007 to April 19, 2007 at the rate of 9.44% in the amount of \$3,964.60 for a total \$39,615.64; and

Plaintiff is awarded Judgment on its Second Cause of Action in the amount of \$176,927.16 plus interest from February 13, 2007 to April 19, 2007 at the rate of 9.44% in the amount of \$19,676.80 for a total \$196,603.96; and

Plaintiff is awarded Judgment on its Third Cause of Action in the amount of \$18,081.54 plus interest from February 13, 2007 from April 19, 2007 at the rate of 9.44% in the amount of \$2,012.40 for a total \$20,093.94;

Plaintiff is further awarded Judgment for expenses and attorney's fees in the amount of \$4,613.00 pursuant to this Court's Order of March 22, 2007;

Said Judgment with interest to April 19, 2007 and the attorney's fees previously Ordered,  
total the aggregate amount of \$260,926.54;

Dated at Wilmington, Delaware, this \_\_\_\_\_ day of April, 2007

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Honorable Joseph J. Farnan, Jr.  
United States District Court Judge